

Metcalfe	Spears
Moffett	Stone
Moore	of Galveston
Nelson	Stone
Pace	of Washington
Redditt	Sulak
Roberts	Van Zandt
Shivers	Weinert
Small	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Adjournment

Senator Winfield moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 10:10 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

SEVENTY-SIXTH DAY

(Thursday, May 25, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Absent—Excused

Kelley Martin

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Kelley was granted leave of absence for today on account of important business, on motion of Senator Brownlee.

Senator Martin was granted leave of absence for today on account of important business, on motion of Senator Small.

Report of Standing Committee

Senator Van Zandt submitted the following report of the Committee on Civil Jurisprudence:

Austin, Texas,
May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 758, A bill to be entitled "An Act authorizing Commissioners' Courts and governing bodies of cities, towns and villages of any county to establish and operate sewing rooms, and to provide for the improvement of public records; providing for employment of caseworkers and investigators; providing the Act does not compel any Commissioners' Court or Municipal Government to employ such caseworkers but such employment or appointment shall be discretionary; authorizing such governing bodies to make contracts for the purposes of discovery of land and improvements escaping taxation, compiling and assembling delinquent taxes and ownership record, the elimination of double assessments and elimination or reduction of unknown ownerships and the compiling of data pertaining to the value of taxable property for use by the Tax Assessor and Board of Equalization; providing that this Act shall apply only in instances where an agency of the United States Government or the State of Texas agrees to contribute a portion of the necessary money or labor; authorizing counties or cities to issue General Fund interest-bearing time warrants to evidence their indebtedness under such contracts; making it the duty of such governing body of such county or city to levy

and collect taxes at the rate of Three (3) Cents on the one hundred dollars assessed valuation or so much thereof as may be necessary; imposing the same duties with reference to the levy, assessment, and collection of taxes as are imposed by Chapters One and Two of Title 22 of the Revised Civil Statutes of Texas of 1925 to assure payment of all bonds; providing that if said Three (3) Cents is insufficient it shall be the duty of the governing bodies to levy an additional tax if such can be made without causing a deficit in the current operating fund of the county, city, town, or village; providing that this Act shall not revoke any authority now existing in counties or cities to make contracts for the purposes herein authorized or to repeal any existing law and that this Act shall be cumulative; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

VAN ZANDT, Chairman.

House Bill and Joint Resolution on First Reading

The following bill and joint resolution, previously received from the House, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 340, to Committee on State Affairs.

H. J. R. No. 44, to Committee on Constitutional Amendments.

Senate Bills on First Reading

Senator Burns moved that the legislative rule relative to the introduction of bills after the first 60 days of the Regular Session of the Legislature be suspended to permit his introducing a bill at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Head
Beck	Hill
Brownlee	Isbell
Burns	Lanning
Collie	Lemens
Cotten	Metcalfe
Graves	Moffett
Hardin	Moore

Nelson	Stone
Pace	of Galveston
Redditt	Stone
Roberts	of Washington
Shivers	Sulak
Small	Van Zandt
Spears	Weinert
	Winfield

Absent—Excused

Kelley

Martin

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Burns:

S. B. No. 477, A bill to be entitled "An Act to amend Section 3 of House Bill 74, passed at this, the Regular Session of the Forty-sixth Legislature, so as to prescribe rules and regulations by which it may be established who are now licensed to practice law within this State within the meaning of said Section; and declaring an emergency."

Referred to Committee on Civil Jurisprudence.

House Bill 688 on Passage to Third Reading

(Special Order)

The President laid before the Senate, as an unfinished special order, on its passage to third reading (the bill having been read second time on May 16, 1939):

H. B. No. 688, A bill to be entitled "An Act to amend Sections 1 and 6 of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, and to amend Section 7 of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, as amended by Chapter 136, Acts of the Regular Session of the Forty-third Legislature, as amended by Chapter 117, Acts of the First Called Session of the Forty-third Legislature, as amended by Chapter 326, Acts of the Regular Session of the Forty-fourth Legislature, and as amended by Chapter 370, Acts of the Regular Session of the Forty-fifth Legislature, relative to the Board of County and District Road Indebtedness; and providing that if any portion hereof be unconstitutional or invalid for any reason, the remaining part shall, nevertheless, be in full force and effect; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

With amendment by Senator Sulak and motion by Senator Moore to reconsider the vote by which the amendment by Senator Small was adopted to the bill on May 17, 1939, pending.

Question—Shall the motion to reconsider prevail?

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, May 25, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 460, A bill to be entitled "An Act validating bonds of any city having a population of more than fifty thousand (50,000) and less than one hundred thousand (100,000), according to the last preceding United States Census, and operating under a home rule charter adopted pursuant to amended Section 5, Article 11, Texas Constitution, which bonds have been heretofore voted subsequent to the enactment of Chapter 382, General Laws passed by the Forty-fourth Legislature, at its First Called Session in 1935, and which bonds are payable from the levy of ad valorem taxes; authorizing such city to complete its proceedings for the authorization and delivery of such bonds; providing that the provisions of this Act shall not apply to any proceedings, levies, or to any bonds or warrants issued thereunder, the validity of which has been contested or attacked in suit or litigation, which is pending at the time this Act becomes a law; enacting provision incident and relating to the subject and purpose of this Act; and declaring an emergency."

S. B. No. 463, A bill to be entitled "An Act to amend Section 4 of House Bill No. 25, Chapter 24, of the General and Special Laws of the Forty-fifth Legislature, First Called Session, relating to the salary of County Auditors in certain counties; providing a saving clause; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 469, A bill to be entitled "An Act creating a Special Road Law

for Hardeman County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of May 1, 1939, by the issuance of funding bonds; providing that items of indebtedness as of said date, in the form of scrip, time warrants, or funding warrants, may be included in such funding bond issue; setting forth the method of issuing such funding bonds; validating all acts of the Commissioners' Court and of the county officials of said County in issuing said scrip or warrants; validating said scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said County when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

S. B. No. 470, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which, according to the then latest Federal Census, had a population of not fewer than seventeen hundred twenty-one (1,721) and not more than seventeen hundred fifty-one (1,751) inhabitants, fixing the maximum tax rate which may be levied for bond sinking fund purposes; providing that no tax shall be levied or collected in such districts until such tax shall have been authorized by a majority vote of the qualified voters of such districts cast at an election held for such purpose; repealing all laws in conflict herewith and declaring an emergency." (With amendment.)

S. B. No. 194, A bill to be entitled "An Act to amend Article 5057a of the Revised Civil Statutes of 1925, as amended by S. B. No. 12, Chapter 190, Acts of the Regular Session of the Fortieth Legislature, so as to provide for the manner in which fire insurance companies and casualty insurance companies incorporated under the laws of this State shall render their property for taxation; providing where such property shall be rendered for taxation; and declaring an emergency." (With amendments.)

The House has concurred in Senate amendments to H. B. No. 952 by a vote of 135 yeas and 0 noes.

The House has concurred in Senate amendments to H. B. No. 580 by a vote of 119 yeas and 2 noes.

S. B. No. 459, A bill to be entitled "An Act authorizing the Commissioners' Court of any county having a population of not less than 290,000 and not more than 320,000, according to the last United States Census, to rent or let to any landowner any tractor, grader, machinery or equipment belonging to said County to be used exclusively upon land belonging to such owner situated in said County, in the construction of terraces, dikes and ditches for the purpose of said conservation and soil erosion prevention and for the purpose of constructing water tanks and reservoirs and declaring an emergency."

S. B. No. 445, A bill to be entitled "An Act fixing salaries and compensation of County Commissioners in counties with a population of not less than ten thousand, two hundred and seventy (10,270) inhabitants nor more than ten thousand, two hundred and seventy-five (10,275) inhabitants, according to the last Federal Census, as same now exists or may hereafter exist, and having an assessed valuation of not less than Seven Million, Five Hundred and Fifty-six Thousand Dollars (\$7,556,000) nor more than Seven Million, Six Hundred Thousand Dollars (\$7,600,000), according to the last approved tax rolls, as same now exists or may hereafter exist; providing for the manner of payment of the salaries and the funds from which said salaries shall be paid; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 1064, A bill to be entitled "An Act authorizing cities having a population of two hundred and eighty-five thousand (285,000) inhabitants, or more, according to the last preceding or any future Federal Census, to extend by ordinance their boundary so as to include in such cities all publicly owned or publicly operated airports, flying fields, and landing fields lying within a distance of ten (10) miles in air line from the ordinary limits of such cities, and in

addition thereto land lying within a distance of three thousand (3,000) feet of the exterior limits of such airports, flying fields, and landing fields; providing for intervening land to be included; authorizing such cities to pass ordinances, criminal and otherwise, under the general police powers to promote and protect the safe and efficient operations of said airports, flying fields, and landing fields and particularly the power to limit the height of any building or structure within three thousand (3,000) feet of the exterior limits thereof; authorizing the policing of such territory: prohibiting taxing of property in said territory; declaring this Act to be severable, and declaring an emergency."

H. B. No. 1025, A bill to be entitled "An Act permitting the use of a one inch net for taking suckers, carp, buffalo and shad from Bosque River, in Hamilton County; prohibiting the use of any other seine or net except a minnow seine; providing a penalty; repealing all conflicting laws, and declaring an emergency."

H. B. No. 982, A bill to be entitled "An Act prescribing the means by which fish may be taken from the waters of Coryell County; prohibiting the sale of catfish taken in that county; repealing all conflicting laws; providing a penalty, and declaring an emergency."

H. B. No. 1037, A bill to be entitled "An Act amending Section 2, of Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Acts of the Forty-first Legislature, Fourth Called Session, as amended by Chapter 340, Acts of the Forty-second Legislature, Regular Session, as amended by Chapter 220, Acts of the Forty-third Legislature, Regular Session, as amended by Chapter 284, Acts of the Forty-fifth Legislature, Regular Session, as amended by Chapter 391, Acts of the Forty-fifth Legislature, Regular Session, by providing that in counties with a taxable valuation of not less than Fifty-one Million, One Hundred Thousand (\$51,100,000) Dollars, nor more than Fifty-one Million, Four Hundred Thousand (\$51,400,000) Dollars, taxable valuation for county purposes according to the valuation as shown on the County Tax Assessor-Collector's rolls for the current

year of 1938, the Justices of the Peace and Constables shall be allowed to retain out of the fees collected by such officers the sum of Thirty-six Hundred (\$3,600) Dollars per annum, and declaring an emergency."

H. B. No. 1074, A bill to be entitled "An Act amending Article 2092 of the Revised Civil Statutes of Texas, being Chapter 105 of the Acts of the Regular Session of the Thirty-eighth Legislature, page 215, as amended by the Acts of the Forty-first Legislature, Regular Session (1929), Chapter 222, page 476, and by Chapter 70, page 227 of the Acts of the Fifth Called Session of the Forty-first Legislature (1930), and by Chapter 33, page 58 of the Acts of the Third Called Session of the Forty-third Legislature (1934), and by Chapter 249, page 636 of the Acts of the Forty-fourth Legislature, Regular Session (1935), so as to make same applicable to all counties having five (5) or more District Courts with either civil or criminal jurisdiction or both, and declaring an emergency."

H. B. No. 1084, A bill to be entitled "An Act repealing House Bill No. 666 passed at the Regular Session of the Forty-sixth Legislature, the same being a local game bill for Comanche County, and declaring an emergency."

H. B. No. 1095, A bill to be entitled "An Act creating a Special Road Law for Haskell County, Texas, validating an issue of refunding warrants dated March 15, 1939, in the amount of Fifty-seven Thousand (\$57,000.00) Dollars and the proceeding authorizing their issuance; providing that such validation shall not affect any of such refunding warrants the validity of which is in issue in litigation within thirty (30) days after the date this Act becomes effective; repealing House Bill No. 479, passed at the Regular Session of the Forty-sixth Legislature, and declaring an emergency."

H. B. No. 1098, A bill to be entitled "An Act to prohibit the sale or offering for sale, or the buying of any bass, crappie, perch or catfish or any other fish taken from any river, creek, lake, slough, bayou, tank or pond flowing or situated within the boundaries of DeWitt County; prescribing a penalty, and declaring an emergency."

H. B. No. 1060, A bill to be entitled "An Act fixing and providing for the payment of the salary and traveling and office expenses of the County Superintendent of Public Instruction in counties with a population of not less than thirteen thousand, four hundred and fifty (13,450) nor more than thirteen thousand, six hundred (13,600) and not less than nineteen thousand, nine hundred and fifty (19,950) nor more than twenty thousand, one hundred (20,100), according to the preceding Federal Census; and fixing and providing for payment of compensation of County School Trustees in such counties, and declaring an emergency."

H. B. No. 1102, A bill to be entitled "An Act validating all elections, election orders, election proceedings, affidavits and city ordinances, annexing adjacent territory, or extending and prescribing the corporate limits of any incorporated city or town incorporated and functioning under General Law of Texas under Commission form of Government, such validating act to apply only in cities or towns located in a county having a population of not less than sixteen thousand, five hundred and twenty-five (16,525) and not more than sixteen thousand, nine hundred (16,900), and where such cities or towns in such counties have a population of not less than seven thousand, five hundred and sixty-nine (7,569), and not more than sixteen thousand, five hundred and sixty (16,560), according to the last preceding Federal Census, or any subsequent Federal Census, providing exceptions, and declaring an emergency."

H. B. No. 1103, A bill to be entitled "An Act prohibiting the taking of fish for commercial purposes from the public waters of Jones and Shackelford Counties; prescribing penalties, and declaring an emergency."

H. B. No. 1104, A bill to be entitled "An Act fixing the compensation for County Commissioners in certain counties; providing the manner of payment and prescribing the funds from which it shall be paid; providing for traveling expenses for County Commissioners in certain counties; providing the manner of payment and prescribing the funds from which they shall be paid; repealing all laws or

parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 1113, by Dwyer, A bill to be entitled "An Act to amend Section 1 of House Bill No. 196, passed by the Regular Session of the 46th Legislature, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

House Bills on First Reading

The following bills received from the House today, were laid before the Senate; read severally first time, and referred to the committees indicated:

H. B. No. 1064, to Committee on State Affairs.

H. B. No. 1037, to Committee on Civil Jurisprudence.

H. B. No. 1025, to Committee on Game and Fish.

H. B. No. 1074, to Committee on Judicial Districts.

H. B. No. 982, to Committee on Game and Fish.

H. B. No. 1084, to Committee on Game and Fish.

H. B. No. 1095, to Committee on Highways and Motor Traffic.

H. B. No. 1102, to Committee on Towns and City Corporations.

H. B. No. 1103, to Committee on Game and Fish.

H. B. No. 1104, to Committee on Counties and County Boundaries.

H. B. No. 1098, to Committee on Game and Fish.

H. B. No. 1060, to Committee on Counties and County Boundaries.

H. B. No. 1113, to Committee on State Affairs.

Bills Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bills:

H. B. No. 52, "An Act to amend Chapter 138 of the Acts of the Third Called Session of the Thirty-ninth Legislature, the same being an Act entitled: 'An Act to aid the City of Corpus Christi in the construction of a sea wall or breakwater

so as to protect said city from calamitous overflow, by donating to said city all the State ad valorem taxes, collected on property and from persons in Jim Wells, Jim Hogg, Brooks, Kleberg, Willacy and Duval Counties by donating to said city all the State ad valorem taxes, collected on property and from persons in Nueces County not heretofore donated to the City of Corpus Christi by Act of the Thirty-fifth Legislature of Texas, known as House Bill No. 694 for a period of twenty-five years, and to provide a penalty for their misapplication, by extending the provisions of said Act for a period of eight (8) years from September 1, 1946, and declaring an emergency."

H. B. No. 952, "An Act for the purpose of better conserving the salt water fish and marine resources of the State of Texas, by providing certain regulations and restrictions and the use of certain parts of the waters of all artificial and natural passes now or hereafter constructed and maintained by the Game, Fish and Oyster Commission of the State of Texas as fish passes, providing a penalty, savings clause, and declaring an emergency."

H. B. No. 995, "An Act providing that it shall be unlawful to kill quail in counties of a certain population except on certain days; providing the number of quail that can be killed in one day, and providing a penalty for violation of this Act."

Motion to Adjourn

Senator Roberts moved that the Senate adjourn until 10:00 o'clock a. m., Monday, May 29, 1939.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—12

Burns	Roberts
Cotten	Stone
Isbell	of Galveston
Moffett	Van Zandt
Moore	Weinert
Pace	Winfield
Redditt	

Nays—16

Aikin	Hardin
Beck	Head
Brownlee	Hill
Collie	Lanning
Graves	Lemens

Metcalfe
Nelson
Shivers
Small

Spears
Stone
of Washington

Absent

Sulak

Absent—Excused

Kelley Martin

Executive Session

On motion of Senator Shivers, and by unanimous consent, the Senate, at 11:55 o'clock a. m., agreed to hold an executive session immediately to consider nominations of the Governor.

The Sergeant-at-Arms was directed to clear the floor and galleries of all those not entitled to attend the executive session, and to close all doors leading from the Senate Chamber.

After Executive Session

At the conclusion of the executive session, the Secretary of the Senate reported to the Journal Clerk that the Senate had adopted the following reports:

Austin, Texas,
May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Nominations by the Governor, to whom was referred the following nominations:

To be Members of the Board of Directors of the Upper Guadalupe River Authority of Kerr County, Texas:

(Term expiring January 1, 1945)
Dent Taylor of Kerrville,
L. H. Webb of Kerrville,
L. T. Davis of Kerrville;

(Term expiring January 1, 1943)
W. Scott Schreiner of Kerrville,
Tom Finlon of Hunt;

(Term expiring January 1, 1941)
W. B. Leigh of Center Point,
W. A. Fawcett of Kerrville;

Have had same under consideration and do recommend that they be in all things confirmed.

SHIVERS, Chairman.

Austin, Texas,
May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Nominations by the Governor, to whom was referred the following nomination:

To be Branch Pilot for the Sabine Bar, Pass and Tributaries (term beginning May 15, 1939):

Carl M. Bancroft of Jefferson County,

Have had same under consideration and do recommend that he be in all things confirmed.

SHIVERS, Chairman.

Austin, Texas,
May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Nominations by the Governor, to whom was referred the following nominations:

To be Members of the Board of Directors of the Upper Red River Flood Control and Irrigation District (term beginning July 3, 1939):

Dr. Roy E. Barr of Childress, Childress County;

E. G. Rice of Quitaque, Briscoe County;

O. E. Beavers of Memphis, Hall County;

Have had same under consideration and do recommend that they be in all things confirmed.

SHIVERS, Chairman.

Austin, Texas,
May 25, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Nominations of the Governor, to whom were referred all nominations of notaries public heretofore submitted by the Governor, beg to recommend that all of said nominations be in all things confirmed.

SHIVERS, Chairman.

The President called the Senate to order, as in legislative session, at 12:00 o'clock m.

Motion to Adjourn

Senator Stone of Washington moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—2	
Head	Stone of Washington
Nays—26	
Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hill	Stone
Isbell	of Galveston
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield
Moore	
Absent	
Hardin	
Absent—Excused	
Kelley	Martin

House Bill 340 Ordered Mimeographed

On motion of Senator Van Zandt, it was ordered that H. B. No. 340 be mimeographed.

Bills Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bills:

S. B. No. 459, "An Act authorizing the Commissioners' Court of any county having a population of not less than 290,000, and not more than 320,000, according to the last United States Census, to rent or let to any landowner any tractor, grader, machinery or equipment belonging to said county to be used exclusively upon land belonging to such owner situated in said county, in the construction of terraces, dikes and ditches for the purpose of said conservation and soil erosion prevention and for the purpose of constructing water tanks and reservoirs and declaring an emergency."

S. B. No. 463, "An Act to amend Section 4 of House Bill No. 25, Chapter 24, of the General and Special Laws of the Forty-fifth Legislature, First Called Session, relating to the salary of County Auditors in certain counties; providing a saving clause;

repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 445, "An Act fixing salaries and compensation of County Commissioners in counties with a population of not less than ten thousand, two hundred and seventy (10,270) inhabitants nor more than ten thousand, two hundred and seventy-five (10,275) inhabitants, according to the Last Federal Census, as same now exists or may hereafter exist, and having an assessed valuation of not less than Seven Million, Five Hundred and Fifty-six Thousand Dollars (\$7,556,000) nor more than Seven Million, Six Hundred Thousand Dollars (\$7,600,000), according to the last approved tax rolls, as same now exists or may hereafter exist; providing for the manner of payment of the salaries and the funds from which said salaries shall be paid; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 460, "An Act validating bonds of any city having a population of more than fifty thousand (50,000) and less than one hundred thousand (100,000), according to the last preceding United States Census, and operating under a home rule charter adopted pursuant to amended Section 5, Article 11, Texas Constitution, which bonds have been heretofore voted subsequent to the enactment of Chapter 382, General Laws passed by the Forty-fourth Legislature, at its First Called Session in 1935, and which bonds are payable from the levy of ad valorem taxes; authorizing such city to complete its proceedings for the authorization and delivery of such bonds; providing that the provisions of this Act shall not apply to any proceedings, levies, or to any bonds or warrants issued thereunder, the validity of which has been contested or attacked in suit or litigation, which is pending at the time this Act becomes a law; enacting provision incident and relating to the subject and purpose of this Act; and declaring an emergency."

S. B. No. 469, "An Act creating a Special Road Law for Hardeman County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of May 1, 1939, by the issuance of funding

bonds; providing that items of indebtedness as of said date, in the form of scrip, time warrants, or funding warrants, may be included in such funding bond issue; setting forth the method of issuing such funding bonds; validating all acts of the Commissioners' Court and of the county officials of said County in issuing said scrip or warrants; validating said scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said County when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,
May 25, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 1103, A bill to be entitled "An Act prohibiting the taking of fish for commercial purposes from the public waters of Jones and Shackelford Counties; prescribing penalties; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Austin, Texas,
May 25, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 1095, A bill to be entitled "An Act creating a special road law for Haskell County, Texas, validating an issue of refunding warrants dated March 15, 1939, in the amount of Fifty-seven Thousand Dollars (\$57,000) and the proceedings authorizing their issuance; providing that such validation shall not affect any of such

refundng warrants the validity of which is in issue in litigation within thirty (30) days after the date this Act becomes effective; repealing House Bill No. 479 passed at the Regular Session of the Forty-sixth Legislature; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BROWNLEE, Chairman.

Austin, Texas,
May 25, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. 1102, A bill to be entitled "An Act validating all elections, election orders, election proceedings, affidavits, and city ordinances, annexing adjacent territory, or extending and prescribing the corporate limits of any incorporated city or town incorporated and functioning under General Laws of Texas under Commission form of government, such validation Act to apply only in cities or towns located in a county having a population of not less than sixteen thousand, five hundred and twenty-five (16,525) and not more than sixteen thousand, nine hundred (16,900), and where such cities or towns in such counties have a population of not less than seven thousand, five hundred and sixty-nine (7,569) and not more than sixteen thousand, five hundred and sixty (16,560), according to the last preceding Federal Census, or any subsequent Federal Census, providing exceptions; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Austin, Texas,
May 25, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 477, A bill to be entitled "An Act to amend Section 3 of House

Bill 74 at this, the Regular Session of the 46th Legislature, so as to prescribe rules and regulations by which it may be established who are now licensed to practice law within this state within the meaning of said Section; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

VAN ZANDT, Chairman.

Austin, Texas,
May 25, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 1074, by Felty, A bill to be entitled "An Act amending Article 2092 of the Revised Civil Statutes of Texas, being Chapter 105 of the Acts of the Regular Session of the Thirty-eighth Legislature, page 215, as amended by the Acts of the Forty-first Legislature, Regular Session (1929), Chapter 222, page 476, and by Chapter 70, page 227 of the Acts of the Fifth Called Session of the Forty-first Legislature (1930), and by Chapter 33, page 58 of the Acts of the Third Called Session of the Forty-third Legislature (1934), and by Chapter 249, page 636 of the Acts of the Forty-fourth Legislature, Regular Session (1935), so as to make same applicable to all counties having five (5) or more District Courts with either civil or criminal jurisdiction or both; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NELSON, Chairman.

Austin, Texas,
May 25, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 1113, by Dwyer, A bill to be entitled "An Act to amend Section 1 of House Bill No. 196, passed by the Regular Session of the Forty-

sixth Legislature; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Adjournment

Senator Pace moved that the Senate adjourn until 10:00 o'clock a. m., Monday, May 29, 1939.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—14

Burns	Roberts
Cotten	Stone
Isbell	of Galveston
Lemens	Stone
Moffett	of Washington
Moore	Van Zandt
Pace	Weinert
Redditt	Winfield

Nays—13

Aikin	Lanning
Beck	Metcalfe
Brownlee	Shivers
Collie	Small
Graves	Spears
Head	Sulak
Hill	

Absent

Nelson

Absent—Excused

Hardin	Martin
Kelley	

The Senate, accordingly, at 12:05 o'clock p. m., adjourned until 10:00 o'clock a. m., Monday, May 29, 1939.

APPENDIX

Reports of Committees on Engrossed and Enrolled Bills

Austin, Texas,
May 23, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Enrolled Bills, have had Senate Bills

Nos. 118, 117, and 36 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 23, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Enrolled Bills, have had S. J. R. No. 4 carefully examined compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 25, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Enrolled Bills, have had Senate Bills Nos. 459, 463, 460, 469, and 445 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Enrolled Bills, have had Senate Bills Nos. 466, 476, 396, 465, 238 and 474 carefully examined, compared and read, and find same correctly enrolled.

LANNING, Chairman.

SEVENTY-SEVENTH DAY

(Monday, May 29, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tempore Moore.

The roll was called, and the following Senators were present:

Aikin	Lanning
Brownlee	Lemens
Burns	Martin
Collie	Metcalfe
Cotten	Moffett
Graves	Moore
Hardin	Nelson
Hill	Pace
Isbell	Redditt
Kelley	Roberts

Shivers
Small
Spears
Stone
of Galveston

Stone
of Washington
Sulak
Van Zandt
Weinert
Winfield

Absent—Excused

Beck

Head

A quorum was announced present. The invocation was offered by the Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 25, 1939, was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Head was granted leave of absence for today on account of important business, on motion of Senator Collie.

Senator Beck was granted leave of absence for today on account of important business, on motion of Senator Burns.

Report of Standing Committee

Senator Weinert submitted the following report of the Committee on State Affairs.

Austin, Texas,
May 25, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 1064, A bill to be entitled "An Act authorizing cities having a population of two hundred and eighty-five thousand (285,000) inhabitants, or more, according to the last preceding or any future Federal Census, to extend by ordinance their boundary so as to include in such cities all publicly owned or publicly operated airports, flying fields, and landing fields lying within a distance of ten (10) miles in air line from the ordinary limits of such cities, and in addition thereto land lying within a distance of three thousand (3,000) feet of the exterior limits of such airports, flying fields, and landing fields; providing for intervening land to be included; authorizing such cities to pass ordinances, criminal and otherwise,